

Simplot

CORPORATE HEADQUARTERS

J.R. SIMPLOT COMPANY ONE CAPITAL CENTER
P.O. BOX 27 BOISE, IDAHO 83707 208/336-2116

) MAIN STREET SUITE 1300

FAX COVER LETTER

Transmittal Time:

TO: Nick Spencer and Cindy Bird		Fax No. 208-287-4800; 208-547-3939 6700	DATE: October 25, 2006
COMPANY: IDWR		No. of pages including cover sheet: 6	
FROM: Vic Conrad		Direct Dial Number (208)389-7359	FAX NO. (208) 389-7333
CONFIDENTIALITY NOTICE: <u>This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this transmission is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the transmission to us at the above address via the US Postal Service. Thank You.</u>			
RE: IDWR Water Right Nos. 24-4015 and 24-4016. Message: In response to your question about additional information supporting when the places of use located in sections 15 and 22 were first irrigated, attached are the copies of the following patents: U.S. Patent No. 4122 Issued to Samuel Cazier on July 15, 1904: The land covered by this patent is described as the W$\frac{1}{2}$SE$\frac{1}{4}$, SE$\frac{1}{4}$SW$\frac{1}{4}$ of Section 15 T.9S R.46E. Attached to Patent no. 4122 is a copy of the Homestead Proof – Testimony of Witness signed by William Cazier on May 5, 1903. Please note in response to Question no. 8: How much of the homestead has the settler cultivated and for how many seasons did he raise crops thereon, Mr. Cazier responded as follows: "About 80 acres, every season since 1886" Should you choose to prepare individual claims for each land entry, we will need to prepare a claim for this area with an 1886 priority date. U.S. Patent No. 4123 issued to William H. Cazier on July 15, 1904: The land covered by this patent is described as the E$\frac{1}{2}$ NW$\frac{1}{4}$, NW$\frac{1}{4}$NW$\frac{1}{4}$, SW$\frac{1}{4}$NE$\frac{1}{4}$ of Section 22 T. 9 S R. 46E. Attached to Patent no. 4123 is a copy of the Homestead Proof – Testimony of Witness that was signed by William Cazier on May 5, 1903. Please note in response to Question no. 7: How much of the land have you cultivated each season and for how many seasons have you raised crops thereon, Mr. Cazier responded as follows: "From 80 to 100 acres. Raised crops every season." In response to Question No. 4, Mr. Cazier indicates he established his residence a ditch (1 mile long) etc. in 1886. Should you decide that individual claims for each entry is appropriate, we will also need to prepare a second claim containing an 1886 priority date in addition for this homestead entry. For those areas irrigated within the NW$\frac{1}{4}$SW$\frac{1}{4}$ and the NE$\frac{1}{4}$SW$\frac{1}{4}$ of Section 22 T.9S R.46E, I am ordering a copy of the patent application records from the U.S. National Archives in Washington DC. They should arrive in approximately 3 weeks which may then support a 3rd priority for the approximate 21 acres irrigated in this area.			

